



DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES OFFICE OF STATE PROCUREMENT

OSP Procedures Sole Source Procurement

The State of Arkansas seeks to promote increased economy in state procurement by fostering fair and open competition. Arkansas favors competitive procurement where practicable; however, Sole Source Procurement of commodities and services are procurements which, by virtue of the performance specifications, are available only from a single source and cannot be competitively procured.

Arkansas Code Annotated § 19-11-232 provides the legal basis for Sole Source Procurements. Sole Source Procurements require written approval by the Director of the Office of State Procurement (OSP) or head of a procurement agency prior to initiating. Term Sole Source Procurement contracts will be approved on a one-year basis.

Agencies initiating a Sole Source Procurement will:

1. Determine only one source exists for the goods or services to be procured. Brand name or design specifications are not sufficient justifications for Sole Source Procurement.
2. Complete the [Sole Source Procurement Justification Form](#) located on the Forms and Reporting page of the OSP website.
3. Save the completed form as *Sole Source Procurement Request–Department/Agency Name*.
4. Submit an email with the subject line: *Sole Source Procurement Request–Department/Agency Name*, with the completed form as an attachment, to the OSP review mailbox at osp.review@arkansas.gov or to the head of the procurement agency for determination.
5. Upon receiving approval for the Sole Source Procurement, AASIS-using agencies will:
 - a. Name the signed approval document *Sole Source Procurement Approval* and save to the contract file.
 - b. Create a purchase requisition for the procurement and process as normal.
 - i. If the purchase requisition requires Department of Information System Review or Governor's Office review, attach the signed approval document to the purchase requisition.
 - c. Attach the signed approval document to the purchasing document and code the purchasing document *SS* in the *Our Reference* field to route the purchase to OSP for release.
 - d. If a contract is a type, amount, or both that requires to be submitted for review prior to execution, then it is still subject to such review prior to execution. Special Procurement is merely a procurement method and does not excuse non-compliance with any other applicable laws subjecting particular types of contracts to prior review.

Non-AASIS using agencies (i.e., institutions of higher education, Arkansas Highway and Transportation Department) will:

1. Create an initial procurement document (requisition or purchase order)
2. Submit a *Sole Source Procurement Justification Form* and a copy of the purchasing document to the head of the procurement agency or designee above the level of agency procurement official.
 - e. Attach a copy of the signed *Sole Source Procurement Justification Form* to the requisition or purchase order and process as normal.